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Our Ref. 9-13528-94US MMR/sw

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Number of pages including cover letter: **12**  
Date: **November 4, 2005**  
From: **Matthew M. Roy**  
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<b>ART UNIT 2131</b> Examiner: Syed Zia	United States Patent Office - Facsimile Centre	Alexandria, VA	571-273-8300

**DUE DATE: NOVEMBER 7, 2005**

RE: United States Patent Application No. 09/527,584  
Title: **DYNAMIC ALLOCATION OF SHARED NETWORK  
RESOURCES BETWEEN CONNECTION-ORIENTED  
AND CONNECTIONLESS TRAFFIC**  
Inventor: **ASHWOOD SMITH, Peter J.**  
Assignee: **Nortel Networks Limited**  
Our Ref.: **9-13528-94US**

Applicant submits a Response to Non-Compliant Amendment for consideration in connection with the Request for Continued Examination (RCE) and Petition for Extension of Time filed earlier today.

1. Transmittal Form (1 pg.)
2. Response to Non-Compliant Amendment under 37 CFR 1.121 (10 pgs.)

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PTO/SB/21 (09-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/527,584	
	Filing Date	March 17, 2000	
	First Named Inventor	Peter J. ASHWOOD SMITH	
	Art Unit	2131	
	Examiner Name	Syed Zia	
Total Number of Pages in This Submission	11	Attorney Docket Number	9-13528-94US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	OGILVY RENAULT LLP	
Signature	<i>Matthew M. Roy</i>	
Printed name	Matthew M. Roy	
Date	November 4, 2005	Reg. No. 48,074

CERTIFICATE OF TRANSMISSION/MAILING	
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Signature	<i>Matthew M. Roy</i>
Typed or printed name	Matthew M. Roy
Date	November 4, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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File No.: 9-13528-94US

DATE: November 4, 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Peter J. ASHWOOD SMITH  
Filed: March 17, 2000  
Serial No.: 09/527,584  
Title: DYNAMIC ALLOCATION OF SHARED NETWORK  
RESOURCES BETWEEN CONNECTION-ORIENTED  
AND CONNECTIONLESS TRAFFIC  
Examiner: Syed Zia  
Group Art Unit: 2131

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**RESPONSE TO NON-COMPLIANT AMENDMENT**  
**UNDER 37 CFR 1.121**

Sir:

This is in response to the Notice of Non-Compliant Amendment dated October 6, 2005 and further to the Request for Continued Examination (RCE) and Petition for Extension of Time filed earlier today, November 4, 2005. Please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 10 of this paper.